



Planning Board

Meeting Agenda

April 17, 2018 at 7:00 PM
Council Chambers, 201 S Main St

Meeting Called to Order, Invocation, and Overview of Board and general meeting rules

1. Approve minutes of the February 20, 2018 meeting

2. New Business

a. SUP1801- New St Duplex. Application for a new duplex at 708 ½ New Street, GPIN 8884076833. Application by Mr. Bhatti.

b. SUP1802- Melville St Duplex. Application for construction of a new duplex at 306 and 308 S Melville Street, GPIN 8884227612. Application by Tanya Dunbar-Stone.

3. Public comment on non-agenda items

Adjourn

A complete agenda packet is available at www.cityofgraham.com

PLANNING ZONING BOARD

Tuesday, February 20, 2018

The Planning & Zoning Board held their regular meeting on Tuesday, February 20, 2018 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Nate Perry, Dean Ward, Justin Moody, Bonnie Blalock and Eric Crissman. Absent was Michael Benesch. Staff members present were Nathan Page Planning Director, Aaron Holland Assistant City Manager and Debbie Jolly Zoning & Inspection Technician. Chair Hall called the meeting to order, gave the Overview of the Board, general meeting rules and gave the invocation.

The Planning Board elected their officers, with Eric Crissman making a motion for Ricky Hall to continue to serve as Chair, seconded by Bonnie Blalock. There were no other nominations and the motion passed unanimously. Ricky Hall made a motion for Dean Ward to serve as Vice-Chair, seconded by Bonnie Blalock. There were no other nominations, and the motion passed unanimously.

1. Approval of the December 19, 2017 meeting minutes. Nate Perry made a motion for approval, second by Ricky Hall. All voted in favor.
2. New Business
 - a. RZ1801- Rezoning of four lots on Grandview Drive from R-9 to R-7 due to a survey error. Request by Scott Wallace, Keystone Homes. GPIN 8883014496, 8883012482, 8883014424, 8883013453.

The following person spoke on this item:

Carol Norton 521 Grandview Drive

There was some discussion among the Board members and they told Mrs. Norton to go to the City Council Meeting to discuss the dead tree potentially on her property with builders. Planning board members recommended approval of the change from R-9 to R-7. Chair Ricky Hall asked for a motion to approve, Eric Crissman made a motion to approve seconded by Nate Perry. All voted aye.

The Planning board was adjourned until after the Board of Adjustment meeting.

Planning Board reconvened to finish with the old business.

3. Old Business
 - a. Nonconforming Uses and Nonconforming Buildings- Request by Dean Ward to discuss. Mr. Ward talked about nonconforming uses and he thinks the City needs to do a better job of informing the citizens of changes. Discussion was held on how to make the process better for all involved. The Planning Board elected Mr. Crissman to go to the next city council meeting to voice the boards concerns.

No further business the meeting was adjourned.

Respectfully Submitted,
Debbie Jolly



RECEIVED

MAR 09 2018

CITY OF GRAHAM
INSP. / P.Z.

Application for SPECIAL USE PERMIT

Nathan

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

Uses shown as "S" in the City of Graham Development Ordinance, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

Site

Street Address: 708 1/2 New St Graham NC
Tax Map#: 145647 GPIN: 80984076833
Current Zoning District(s): R-7
Overlay District, if applicable:
☐ Historic ☐ S Main St/Hwy 87 ☐ E Harden St/Hwy 54
Current Use: Storage facility, Had water
Property Owner: K. Makapuu & M.A. BHATTI sewage & Electrical system
Mailing Address: 3210 Elk Dr
City, State, Zip: Burlington NC 27215
Phone #: 336-512-0839
Email: M.A.BHATTI.MD@Gmail.Com

Applicant and Project Contact

Name: M.A. Bhatti
☐ Property Owner Other "
Mailing Address: "
Phone #: "
Email: "

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

Signature of Applicant: M.A. Bhatti Date: 2/28/18

Signature of Property Owner: M.A. Bhatti Date:
(if other than applicant)

Office Use Only, DEVID#

SUP1801

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):

Duplex Dwelling

☒ Check if this use is also listed in
Section 10.149 Special uses listed

This application must include sufficient information to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

- ☐ Preliminary Site Plan
☐ Descriptive Information

Approx. 25,000 sq. ft.

was a 2 bed room apt.
when roof fell in. It was
replaced. Contents emptied
Bath room, electrical & some
inside wall work was done.
Building secured.
need to rehab it. now
need a 2 bed room
apt.
Existing Driveway will be
used

☐ Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

Other Requirements

☐ NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing



STAFF REPORT

Prepared by Alexa Powell, Planner

New St. Duplex (SUP1801)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 17, 2018

City Council on May 1, 2018

Contact Information

Mohammad Bhatti

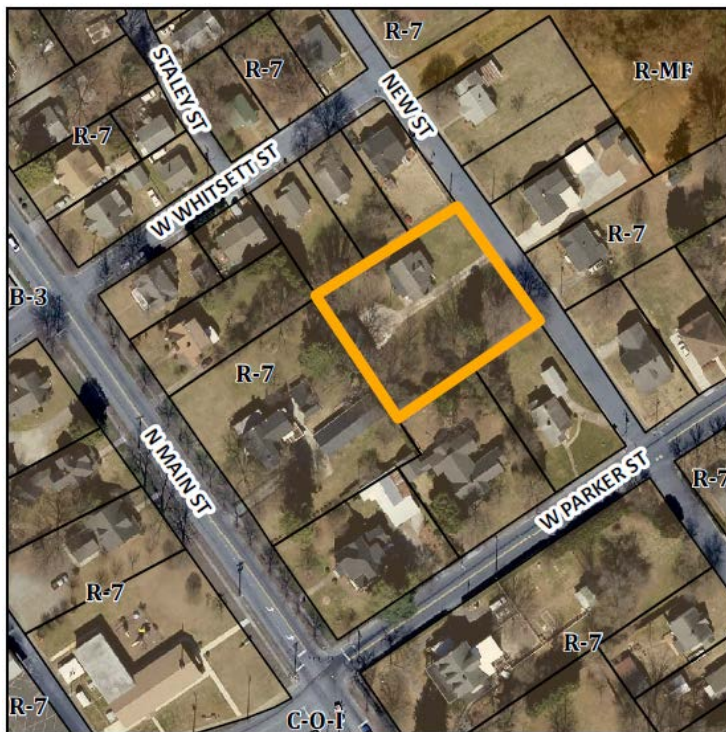
708 New St, Graham NC

336-512-6839

mabhattimd@gmail.com

Summary

This is a request for a Special Use Permit for a Dwelling, Duplex for property located at 708 New St. There is an existing building on the site, currently in use as a Single Family residence. The total lot square footage is about 25,000sqft.



Location

708 New St.

GPIN: 8884076833

Current Zoning

Residential (high density)
(R-7)

Proposed Zoning

Residential (high density) (R-7)

Overlay District

none

Surrounding Zoning

R7

Surrounding Land Uses

Single Family

Size

0.575 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

This site was originally developed in 1951, as a single family dwelling. The applicant reports that the rear unit was used as a dwelling in the past. However, it has been vacant for more than 180 days and therefore requires re-approval. The duplex is intended to take place in the detached structure to the rear of the lot. Properties zoned Residential (high-density) (R7) are required by the Development

Ordinance to apply for a Special Use permit to allow this change from a Dwelling, Single Family Detached to a Dwelling, Duplex.

A Dwelling, Duplex is described by the Development Ordinance as Dwelling, two-family which is defined as a detached building designed for occupancy exclusively by two (2) families living independently of each other.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required.
- Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning Type: Neighborhood

Development Type: Downtown Residential

Applicable Policies;

- **2.2.1: Focused Development** In order to maintain Graham's affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham creates more density. This infill development promotes walkable neighborhoods and uses existing municipal infrastructure.*
- **4.3.1 Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The duplex would use existing city infrastructure.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the duplex could allow for multi-generational housing, as well as smaller units for families without children living at home.*

Planning Type

Neighborhood

Development Type

Downtown Residential

For single family residential, new neighborhoods may include duplexes

Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices, and porches and stoops that facilitate social interaction.

In street parking, sidewalks on both sides of the street and street trees.

Density of 3 to 6 DU/acre

DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
 - *The property is zoned R-7, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
 - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have street frontage in excess of 80 feet.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
 - *The use of the location as a duplex will not materially endanger the public health or safety.*

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
 - *The use of the location as a duplex will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.
 - *The duplex is located in a neighborhood residential section of Graham and the future land use is Downtown Residential. Therefore, a duplex is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
 - *All said items have been satisfactorily addressed in the application including the use of the existing driveway for access and vehicle parking.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. This action is reasonable and in the public interest for the following reasons:

- The development furthers goals of *The Graham 2035 Comprehensive Plan* and is in conformance with the Downtown Residential development type.
- The development meets all six conditions required by Section 10.144 of the *Development Ordinance*.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with the "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**New St Duplex
(SUP1801)**

Type of Request
Special Use Permit

Meeting Dates
Planning Board on April 17, 2018
City Council on May 1, 2018

☐ I move to **recommend APPROVAL** of the application as presented.

☐ I move to **recommend APPROVAL with the following conditions:**

o [Insert additional or other conditions]

☐ I move to **recommend DENIAL.**

☐ I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report.**

☐ I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report
with the following revisions:

☐ The application is **consistent** with *The Graham 2035 Comprehensive Plan.*

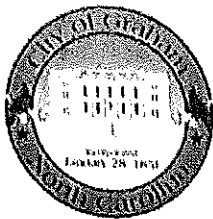
☐ The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan.*

This report reflects the recommendation of the Planning Board, this the 17th day of April, 2018.

Attest:

Ricky Hall, Planning Board Chairman

Debbie Jolly, Secretary



Application for SPECIAL USE PERMIT

RECEIVED

MAR 30 2018

CITY OF GRAHAM
INSP. / P.Z.

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201 South Main Street
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Uses shown as "S" in the City of Graham Development Ordinance, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

Site

Street Address: S. Melville Street 306 & 309
Tax Map#: 14615-8 GPIN: 8884227612
Current Zoning District(s): R-7
Overlay District, if applicable:
☐ Historic ☐ S Main St/Hwy 87 ☐ E Harden St/Hwy 54
Current Use: Unused Lot
Property Owner: Heaven-Lee Home Rentals, LLC
Mailing Address: 2600 Sourwood Street
City, State, Zip: Raleigh, NC 27610
Phone #: 919-375-8103
Email: heavenleehomerentals@gmail.com

Applicant and Project Contact

Name: Tanya Dunbar-Stone
☒ Property Owner ☐ Other CEO of LLC
Mailing Address: 260 Stewart Avenue
City, State, Zip: Hempstead, NY, 11550
Phone #: 919-375-8103
Email: heavenleehomerentals@gmail.com Dwelli

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

Tanya Dunbar-Stone 3/29/2018
Signature of Applicant Date

Tanya Dunbar-Stone 3/29/2018
Signature of Property Owner Date
(if other than applicant)

Office Use Only. DEVID#

SUP 1802

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):
Duplex

☒ Check if this use is also listed in
Section 10.149 Special uses listed

This application **must include sufficient information** to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

☐ Preliminary Site Plan
☒ Descriptive Information

A duplex home built with 80 feet road frontage, off street parking slabs, and driveway(s).

☐ Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

Other Requirements

☒ NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing



STAFF REPORT

Prepared by Alexa Powell, Planner

New St. Duplex (SUP1802)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 17, 2018

City Council on May 1, 2018

Contact Information

Tanya Dunbar- Stone

260 Stewart Avenue

Hempstead, NY 11550

919-375-8103,

heavenleehomerentals@gmail.com

Summary

This is a request for a Special Use Permit for a Dwelling, Duplex for property located at 306 S Melville St. The property is currently vacant.



Location

306 S Melville St.

GPIN: 8884227612

Current Zoning

Residential (high density)
(R-7)

Proposed Zoning

Residential (high density) (R-7)

Overlay District

none

Surrounding Zoning

R7

Surrounding Land Uses

Single Family

Size

0.25 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

Properties zoned Residential (high-density) (R7) are required by the Development Ordinance to apply for a Special Use permit to allow this change from a Dwelling, Single Family Detached to a Dwelling, Duplex.

A Dwelling, Duplex is described by the Development Ordinance as Dwelling, two-family which is defined as a detached building designed for occupancy exclusively by two (2) families living independently of each other.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required.
- Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning Type: Neighborhood

Development Type: Downtown Residential

Applicable Policies;

- **2.2.1: Focused Development** In order to maintain Graham's affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham creates more density. This infill development promotes walkable neighborhoods and uses existing municipal infrastructure.*
- **4.3.1 Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The duplex would use existing city infrastructure.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the duplex could allow for multi-generational housing, as well as smaller units for families without children living at home.*

Planning Type

Neighborhood

Development Type

Downtown Residential

For single family residential, new neighborhoods may include duplexes

Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices, and porches and stoops that facilitate social interaction.

In street parking, sidewalks on both sides of the street and street trees.

Density of 3 to 6 DU/acre

DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.

- *The property is zoned R-7, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
 - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have about 80 feet of street frontage.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
- *The use of the location as a duplex will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
- *The use of the location as a duplex will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.
- *The duplex is located in a neighborhood residential section of Graham and the future land use is Downtown Residential. Therefore, a duplex is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
- *All said items have been satisfactorily addressed in the application including the use of the existing driveway for access and vehicle parking.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. This action is reasonable and in the public interest for the following reasons:

- The development furthers goals of *The Graham 2035 Comprehensive Plan* and is in conformance with the Downtown Residential development type.
- The development meets all six conditions required by Section 10.144 of the *Development Ordinance*.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with the "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Melville St Duplex
(SUP1802)**

Type of Request
Special Use Permit

Meeting Dates
Planning Board on April 17, 2018
City Council on May 1, 2018

☐ I move to **recommend APPROVAL** of the application as presented.

☐ I move to **recommend APPROVAL with the following conditions:**
 o [Insert additional or other conditions]

☐ I move to **recommend DENIAL.**

☐ I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report.**

☐ I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report
with the following revisions:

☐ The application is **consistent** with *The Graham 2035 Comprehensive Plan.*

☐ The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan.*

This report reflects the recommendation of the Planning Board, this the 17th day of April, 2018.

Attest:

Ricky Hall, Planning Board Chairman

Debbie Jolly, Secretary